

U.S. Patent Application No. 10/538,905
Response to Office Action dated August 27, 2007

REMARKS

Applicants appreciate the thoroughness with which the Examiner has examined the patent application. Reconsideration is respectfully requested in view of the amendments above and the remarks below.

Claims 16-28 remain pending. Claims 16, 19/16, 22, 27, and 28 stand objected to as being dependent on a rejected base claim, but would be allowable if rewritten in independent form. Claims 15, 17/15, 18/15, 19/15, 20/15, 21/20/15, 23/15, 24/23/15, 25/15, and 26/15 stand rejected. Claim 16 has been amended to include all the limitations of claim 15, and claims 17, 18, 19, 20, 23, 25, and 26 have been amended to depend from claim 16 rather than rejected claim 15. Claim 19 has been amended to obviate the 35 U.S.C. §112 rejection, second paragraph, applied against claim 19. No new matter has been added.

Claim 19 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Office Action stated that there was confusingly ambiguous antecedent basis for the language "the wafer" on claim 19. Applicants have amended claim 19, such that claim 19 now recites "the first wafer." Support for the claim amendment can be found in ¶36 and Figure 3 of the specification as originally filed. In consideration of the claim 19 amendments, Applicants respectfully submit that the 35 U.S.C. §112, second paragraph, rejection applied against claim 19 is now moot, and request withdrawal of the 35 U.S.C. §112, second paragraph, rejection.

Claims 15, 17/15, 18/15, 20/15, 21/20/15, 23/15 and 24/23/15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent No. 5,682,062 to Gaul ("Gaul"), and U.S. Patent No. 5,627,106 to Hsu ("Hsu"). Further claims 25/15 and 26/15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Gaul and Hsu and in further combination with U.S. Patent Application Publication No. 2002/0074637 to McFarland ("McFarland"). Claim 15 has been cancelled, and all dependent claims now depend either directly or indirectly from claim 16. Therefore, Applicants respectfully submit that the 35 U.S.C. §103(a) claim rejections are moot and request withdrawal of the 35 U.S.C. §103(a) claim rejections.

U.S. Patent Application No. 10/538,905
Response to Office Action dated August 27, 2007

Claims 16-28 remain pending. Claim 16 is the only independent claim, and claims 17-28 depend either directly or indirectly from claim 16. The Office Action indicated that claim 16 contains allowable subject matter. Therefore, claim 16, and dependent claims 17-28, by virtue of their dependence on an allowable base claim, are allowable.

For the foregoing reasons, it is respectfully submitted that the present application is in condition for allowance.

Reconsideration and allowance of pending claims is respectfully requested. No fees are believed to be due in connection with this amendment. However, if there is any such fee due, please charge any such fee to deposit account No. 09-0458.

Respectfully Submitted,

/ Lisa U. Jaklitsch /

Lisa U. Jaklitsch
Telephone: (845) 894-3338

International Business Machines Corporation
Zip 482
2070 Route 52
Hopewell Junction, NY 12533
Fax No. (845) 892-6363